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County Schools

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Division Superintendent

16221 Richmond Turnpike
Bowling Green, Virginia 22427

(804) 633-5088
Fax (804) 633-5563

May 18, 2000

Federal Communications Commission
Office of the Secretary
445 12th Street, S.W., Room TW-A325
Washington, DC 20554

RECEIVED

MAY 23 2000

FCC

Gentlemen:

In the matter of: Request for Review by Caroline County School District of Decision of Universal Service Administrator (FCC Docket Nos. 97-21 and 96-45)

As Director of Budget and Finance and contact person regarding E-rate funding for The Caroline County School District, I am appealing the attached **Administrator's Decision on Appeal – Funding Year 1999-2000** for Billed Entity Number: 126440, Application Number: 145660, Funding Request Number 235926. Funding Request Number 235926 was denied for “28 Day Waiting Period Violated”. Application 145660 was posted on 03/08/1999, and the Form 471 was signed on Friday, 04/02/1999. As the 28 day waiting period ended on Sunday, 04/04/1999, I mistakenly thought the Form 471 needed to be signed on Friday, 04/02/1999, a working day.

Application Number: 145660, Funding Request Number: 235926 is for long distance telephone regulated services. The selected provider offered Caroline County School District the best rates for long distance phone service to our school district. Signing the Form 471 at a latter date would not have changed the outcome of the selection process. Therefore, I am requesting that the administrator's decision, to deny funding, be overturned and funding granted to Caroline County School District for the 1999-2000 funding year.

If you have any questions or additional information is required, I can be contacted by phone at 804 633-5088, by fax at 804 633-5563, or by e-mail at cgerhard@caroline.k12.va.us. Thank you in advance for your consideration in this matter.

Sincerely,

Clota D. Gerhardt, Jr.

Director of Budget and Finance

Attachments: 3

Copy: Universal Service Administration

No. of Copies rec'd 0
List ABCDE

Box 125 – Correspondence Unit
100 South Jefferson Road
Whippany, New Jersey 07981

Administrator's Decision on Appeal - Funding Year 1999-2000

April 21, 2000

Clota D. Gerhardt, Jr.
Caroline County School District
16221 Richmond Turnpike
Bowling Green, VA 22427

Re: Billed Entity Number: 126440
 Application Number: 145660
 Funding Request Number(s): 235926
 Your Correspondence Dated: 9/29/99

After thorough review and investigation of your appeal, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company has resolved your appeal seeking approval of additional discounts for the second program year. This letter addresses our decision concerning each Funding Request Number that was included in your letter of appeal for the Application Number cited above. If your letter of appeal addressed more than one Application Number, a separate letter will be issued to inform you of our decision on the appeal of each Application Number.

Funding Request Number: 235926
Decision on Appeal: Denied in full

Explanation:

- According to documentation submitted with the original 471 application, this is a request for tariff telecommunications services and Item 10 on Form 470 (USCN: 437450000237730) was not checked to indicate of an existence of a multi-year contract in place. FCC Competitive Bidding Requirements for this program require that tariff services MUST be posted to the Administrator's Web site on a Form 470 for 28 days before selecting a vendor, entering into a contract, signing and submitting a Form 471. The funding year two Form 471 was signed on 4/2/99, which is before the allowable contract date of 4/5/99 on your Form 470 for funding year two. This is a violation of the required 28-day waiting period from the posting of the Form 470 to the SLD web site, which is to allow vendors an opportunity to bid on these services.

If you feel further examination of your application is in order; you may file an appeal with the Federal Communications Commission, Office of the Secretary, 445 12TH Street, SW, Room TW-A325, Washington, DC 20554. Before preparing and submitting your appeal, please be sure to review the FCC rules concerning the filing of an appeal of an Administrator's Decision, which are posted to the SLD Web Site at <www.sl.universalservice.org>. You must file your appeal with the FCC no later than 30 days from the date of the issuance of this letter, in order for your appeal to be timely filed.

You should now move ahead, if you haven't already done so, with your Form 486 and related post-commitment arrangements for services for which funds have been committed and services have begun to flow. We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

FUNDING COMMITMENT REPORT FOR APPLICATION NUMBER: 0000145660

_____ Funding Request Number: 0000235926 Funding Status: Unfunded or Denied
_____ SPIN: 143005695 Service Provider Name: Sprint Communications Company L.P.
_____ Provider Contract Number: T
_____ Services Ordered: Telecommunications Services
_____ Earliest Possible Effective Date of Discount: 07/01/1999
_____ Contract Expiration Date: N/A
_____ Pre-discount Cost: \$6,000.00
_____ Discount Percentage Approved by the SLD: N/A
_____ Funding Commitment Decision: \$0.00 - 28 Day Waiting Period Violated
Funding Commitment Decision Explanation: The Form 471 application was signed and/or
submitted prior to the expiration of the 28-day waiting period from the day of the
posting of the Form 470 to the SLD Web Site.